

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

October 2023 Grand Jury

UNITED STATES OF AMERICA,

Plaintiff,

v.

TREVOR JAMES KIRK,

Defendant.

CR No.
2:24-CR-00527-SVW
I N D I C T M E N T

[18 U.S.C. § 242: Deprivation
of Rights Under Color of Law]

The Grand Jury charges:

[18 U.S.C. § 242]

A. INTRODUCTORY ALLEGATIONS

At times relevant to this Indictment:

Excessive Force Incident Against Victim J.H.

1. The Los Angeles County Sheriff's Department ("LASD") was a state law enforcement agency within the Central District of California. LASD deputies were sworn law enforcement officers.

2. Defendant TREVOR JAMES KIRK was a sworn LASD deputy assigned to work at an LASD station in Lancaster, California.

3. Victim J.H. was a 58-year-old Black female.

4. D.B. was a 56-year-old Black male.

1 5. On or about June 24, 2023, defendant KIRK and another LASD
2 deputy ("Deputy A") responded to a call for service at a grocery
3 store in Lancaster. LASD dispatch said there was a "211 now,"
4 referring to the California Penal Code section for robbery, and
5 provided a description of two suspects matching D.B. and Victim J.H.
6 There was no allegation that either D.B. or Victim J.H. had a weapon.

7 6. In the parking lot of the grocery store, Deputy A
8 encountered D.B. holding a cake he had lawfully purchased at the
9 grocery store. Defendant KIRK and Deputy A proceeded to handcuff and
10 detain D.B. and allowed Victim J.H. to remain in the driver's seat of
11 her car behind defendant KIRK.

12 7. Victim J.H. then got out of her car, stood in the parking
13 lot, and filmed defendant KIRK and Deputy A handcuff D.B. As Victim
14 J.H. filmed D.B.'s detention, Victim J.H. told defendant KIRK and
15 Deputy A that they had a legal obligation to inform D.B. of the basis
16 for his detention. Victim J.H. visibly held out her phone and told
17 defendant KIRK and Deputy A that her video of them was being
18 broadcast on social media.

19 8. Defendant KIRK approached Victim J.H. Without giving any
20 commands to Victim J.H., defendant KIRK attempted to grab Victim
21 J.H.'s phone. Victim J.H. turned away from defendant KIRK, and
22 defendant KIRK was unable to seize Victim J.H.'s phone. Defendant
23 KIRK grabbed Victim J.H. by her arm, hooked his left hand behind her
24 neck, and violently threw Victim J.H. to the ground.

25 9. While on the ground, defendant KIRK yelled at Victim J.H.
26 to "get on the ground." Victim J.H. responded, "It's already on
27 YouTube Live," implying that her video of defendant KIRK and
28

1 Deputy A handcuffing D.B. had already been made public. Defendant
2 KIRK replied, "Stop, I don't give a sh Stop."

3 10. Defendant KIRK then placed his knee on Victim J.H.'s
4 shoulder. When Victim J.H. yelled at defendant KIRK to "stop" and
5 called him an expletive, he cocked his right arm back with a clenched
6 fist and said, "Stop or you're gonna get punched in the face."

7 11. Victim J.H. told defendant KIRK that she would sue him if
8 he punched her. Victim J.H. also said, "I got it on camera," again
9 referencing that she had recorded D.B.'s detention. Defendant KIRK
10 said, "Stop. Turn around," and then pressed his knee into Victim
11 J.H.'s neck. Victim J.H. said, "Get your neck off my . . . off my
12 . . . I can't breathe."

13 12. While on top of Victim J.H., defendant KIRK used his LASD
14 radio to misleadingly report that he was "in a fight."

15 13. Shortly thereafter, without giving any additional commands
16 to Victim J.H., defendant KIRK sprayed Victim J.H. twice in the face
17 with oleoresin capsicum ("OC") spray, also known as "pepper spray."

18 **Injuries to Victim J.H. as a Result of Excessive Force**

19 14. Victim J.H. received medical treatment at a hospital
20 approximately 40 minutes after the assault. In addition to physical
21 pain, Victim J.H. suffered a blunt head injury, contusions and
22 abrasions on multiple parts of her body, chemical conjunctivitis, and
23 contact dermatitis, among other physical injuries.

24 **Misleading LASD Report to Conceal Excessive Force**

25 15. Defendant KIRK later drafted and submitted to LASD a
26 misleading report in which he portrayed Victim J.H. as a threat to
27 his physical safety. Defendant KIRK misleadingly claimed, among
28

1 other things, that Victim J.H. assaulted him, attempted to hit him,
2 and took a "fighting" or "blading" stance.

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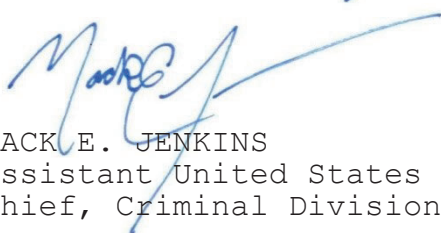
1 B. DEPRIVATION OF RIGHTS UNDER COLOR OF LAW

2 16. On or about June 24, 2023, in Los Angeles County, within
3 the Central District of California, defendant TREVOR JAMES KIRK, then
4 a sworn law enforcement officer employed by LASD, while acting under
5 color of law, assaulted Victim J.H., including with a dangerous
6 weapon, namely, OC or pepper spray, and caused bodily injury to
7 Victim J.H., and thereby willfully deprived Victim J.H. of rights
8 secured and protected by the Constitution and the laws of the United
9 States, namely, the right to be free from the use of unreasonable and
10 unnecessary force by a law enforcement officer.

11 A TRUE BILL

12
13 /s/
14 Foreperson

15 E. MARTIN ESTRADA
16 United States Attorney

17 
18 MACK E. JENKINS
19 Assistant United States Attorney
Chief, Criminal Division

20 LINDSEY GREER DOTSON
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